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555 Twelfth Street, NW
Washington, DC 20004-1206

September 3, 2004

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/016,969
Filed: December 14, 2001
Title: **Peptide YY and Peptide YY Agonists for
Treatment of Metabolic Disorders**
Applicants: Richard A. PITTNER *et al.*
Atty. Docket: 18528.010 / 0401-UTL-0

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. a Supplemental Information Disclosure Statement;
2. a PTO-1449 form (3 pages) with 20 accompanying references; and
3. a return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

Applicants request that the fee of \$180.00 be charged to Deposit Account No. 50-2387 referencing docket number 18528.010:

In the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any additional fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 18528.010. A duplicate copy of this letter is enclosed.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)

Milan M. Vinnola (Reg. No. 45,979)

Attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richard A. PITTNER *et al.*

Group Art Unit: 1646

Appln. No.: 10/016,969

Examiner: R. Li

Filed: December 14, 2001

Atty. Docket: 18528.010 / 0401-UTL-0

For: **Peptide YY and Peptide YY Agonists
for Treatment of Metabolic
Disorders**

Confirmation No.: 7314

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

The attention of the Examiner is invited to the documents listed on the attached Form PTO-1449.¹ Copies of the listed documents are submitted herewith. Applicants make no admission that the cited references constitute prior art against the present application.

It is respectfully requested that the information above be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

09/07/2004 H&UTEMAI 00000072 502387 10016969

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¹ The references submitted herewith include references that were discussed in the Response filed July 6, 2004.

CERTIFICATION AND/OR FEE

Because this Information Disclosure Statement is being submitted after issuance of the first action on the merits of the above-captioned application, a fee of \$180.00 is due pursuant to 37 C.F.R. § 1.17(p). Applicants request that this fee be charged to Deposit Account No. 50-2387 referencing docket number 18528.010.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D R M L", likely representing David R. Marsh and Milan M. Vinnola.

David R. Marsh (Reg. No. 41,408)
Milan M. Vinnola (Reg. No. 45,979)

Date: September 3, 2004

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PTO/SB/08A (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO			
SUPPLEMENTAL FORM PTO-1449 (use as many sheets as necessary)			
Complete if Known			
Application Number		10/016,969	
Filing Date		Dec 14, 2001	
First Named Inventor		Pittner, R.A.	
Art Unit		1646	
Examiner Name		Ruixiang Li	
Attorney Docket Number		0401-UTL-0	
Sheet	1	of	3

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. ¹	U.S. Patent Document		Publication Date MMDDYYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS							
Examiner Initials *	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁴
		Country Code ³	Number ⁴ -Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number(optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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				Filing Date	Dec 14, 2001
				First Named Inventor	Pittner, R.A.
				Art Unit	1646
				Examiner Name	Ruixiang Li
Sheet	2	of	3	Attorney Docket Number	0401-UTL-0

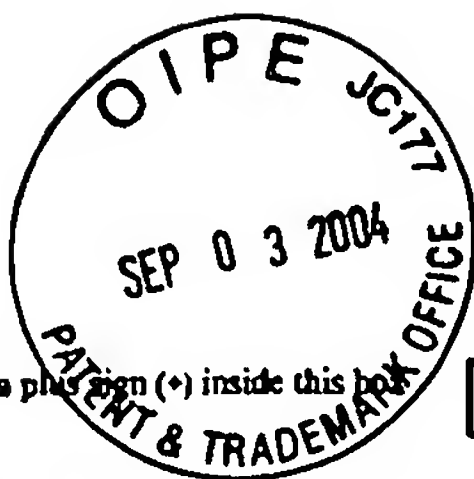
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Adrian TE, et al., "Lack of effect of pancreatic polypeptide in the rate of gastric emptying and gut hormone release during breakfast" Digestion. 1981 21:214-8.	
		Beltowski, J., et al., "What we know 10 years since its discovery?" Pol J Pharmaco. 2004;56:5-27.	
		Camilleri, M, et al., "Effects of vasoactive intestinal peptide and pancreatic polypeptide in rabbit intestine" Gut. 1981 22:14-8.	
		Cox, HM, et al., "The effecto neuropeptide Y and peptide YY on electrogenic ion transport in rate intestinal epithelia" J Physio. 1988 Apr;398:65-80.	
		Ebert, R., "Control of gastric emptying by regulatory peptides" Z Gastroenterol Verh. 1988 23:165-70.	
		Gustavsson S, et al., "Effects of vasoactive intestinal peptide and pancreatic polypeptide on small bowel propulsion in the rat" Gastroenterol. 1997 12:993-7.	
		Harding, RK, et al., "Identification and characterization of the emetic effects of peptide YY" Peptides 1989 10:24-4.	
		Kruger, DF, et al., "Clinical implication of amylin and amylin deficiency" Diabetes Educator 1999;25:389-398.	
		Martin, JR, "The Y1 receptor subtype mediates the cardiovascular changes evoked by NPY administered into the posterior hypothalamic nucleus of conscious rat" Brain Res. 2004 1002:11-20.	
		Nightingale, JM, et al., "Gastrointestinal hormones in short bowel syndrome. Peptide YY may be the 'colonic brake' in gastric emptying" Gut. 1996 Aug;39(2):267-72.	
		Okumura, T, et at., "Intracisternal injection of pancreatic polypeptide stimulates gastric emptying in rates" Neurosci Lett. 1994 178(1):167-70.	
		Pheng, et al., "Agonist- and antagonis-induced sequestration/internalization of neuropeptide Y Y ₁ receptors in HEK293 cells" British J of Pharma 2003 139:695-704	
		Pironi, L, et al., "Fat-reduced ileal brake in humans: a dose-dependent phenomenon correlated to the plasma levels of peptide YY" Gastroenterology. 1993 105:733-9.	
		Sainsbury, A, et al., "Y4 receptor knockout rescues fertility in ob/ob mice" Genes Dev. 2002 16:1077-88.	
		Servin, AL, et al., "Peptide-YY and neuropeptide-Y inhibit vasoactive intestinal peptide-stimulated adenosine 3',5'-monophosphate production in rat small intestine: structural requirements of peptides for interacting with peptide-YY-preferring receptors"	

Examiner Signature		Date Considered	
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¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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				Filing Date	Dec 14, 2001
				First Named Inventor	Pittner, R.A.
				Art Unit	1646
				Examiner Name	Ruixiang Li
Sheet	3	of	3	Attorney Docket Number	0401-UTL-0

		Endocrinology. 1989 Feb;124(2):692-700.	
		Taylor, IL, et al., "Effects of pancreatic polypeptide, caerulein, and bombesin on satiety in obese mice" Am J Physiol. 1985 248:G277-80.	
		Taylor, IL, "Role of peptide YY in the endocrine control of digestion" J Dairy Sci. 1993 76:2094-101.	
		Wager-Page, SA, et al., "Peripheral modulation of duodenal and colonic motility and arterial pressure by neuropeptide Y, neuropeptide Y fragment 13-36, peptide YY, and pancreatic polypeptide in rats: cholinergic mechanisms" Can J Physiol Pharmacol. 1993 71:768-75.	
		Wimalawansa, "Amylin, Calcitonin Gene-related Peptide, Calcitonin, and Adrenomedullin: A Peptide Superfamily, Neurobiology, (2&3):167-239 (1997)	
		Young, AA, et al., "Dose-responses for the slowing of gastric emptying in a rodent model by glucagon-like peptide (7-36) NH ₂ , amylin, cholecystokinin, and other possible regulators of nutrient uptake" Metabolism. 1996 45:1-3.	

Examiner Signature		Date Considered	
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